

E 458

.4

. B84







---

*Ad Republicas firmandas, et ad stabiendas vires, sanados populos, omnis nostra  
pergit oratio.—CICERO DE LEGIBUS.*

---

S P E E C H  
OP  
HON. JAMES BROOKS,  
OF NEW YORK,  
ON THE  
PRESIDENT'S MESSAGE,  
IN THE  
HOUSE OF REPRESENTATIVES,  
DECEMBER, 1864.

---





# S P E E C H .

---

Mr. CHAIRMAN.—(The House was in Committee of the Whole.) There are two cardinal topics in the Message of the President, to which I wish particularly to solicit attention; and these are, first, that the war must go on without negotiation; and, second, that the war must go on until the abolition of slavery is made perpetual throughout all portions of the old United States.

## AMENDMENTS PROPOSED TO THE CONSTITUTION.

Permit me, first, to call the attention of the House to the numerous amendments which are proposed to the Constitution. One of them is, to change the principle of representation, proposed by the gentleman from Wisconsin, (Mr. Sloan) another is, to change the great principle of the Constitution as to export duties, proposed by the honorable member from Maryland, (Mr. Davis) and another comes down to us from the Senate, with the sanction of the President of the United States, and that is, to alter the Constitution on the subject of slavery. No time seems to me more inauspicious than in the midst of civil war, with the clangor of arms all around us, with comparatively but a small territorial part of our whole country assembled by their Representatives upon the floor of this House; no time, sir, seems to me more inauspicious to make great fundamental changes of the Constitution of the United States.

## SLAVERY AND TOLERATION.

But it is said that slavery is the stumbling-block in the way of the restoration of the Union, and that without the abolition of slavery it is not possible for us, now or hereafter, to live on terms of amity and peace with our former southern countrymen. I do not now, or at any time this Session, propose to re-discuss this topic of slavery. I have nothing new to say upon it, or, but little to take back. I adhere to the opinions which I have heretofore advanced on that subject on the floor of this House, and in the main, to the opinions which I have held for twenty-five or thirty years, and which some, not unkind friend, has re-

produced for the reading of the House, from a newspaper I wrote for, years and years ago. These opinions are but little changed. I do not, however, intend to discuss the abstract question of slavery at all, or its political or constitutional connections with the Government of the land.

The approval of a system of slavery, Mr. Chairman, and the acceptance of it as an institution existing, are very different things. I accept it, if I do not approve. The Constitution of my country teaches me to be tolerant in all things, even in the most important of all matters, that of religion. Intolerance is criminal at all times; but intolerance is repelled under our form of Government in every line and letter of that Constitution under which we live; and, if the Constitution did not teach me that, the Bible does. Sir, when the Saviour was on earth, He lived under a Government where there were sixty millions of slaves; and when, from the Mount of Olives, He ascended into heaven, His eyes looked down upon Jerusalem and Judea, full of thousands and tens of thousands of slaves. And when the Apostle Paul stood upon Mars' hill, after wandering among the magnificent temples of the Aeropolis, some of them dedicated to the unknown God, he preached to the Athenians surrounded by their masses of slaves, no intolerance, no persecution, no civil war for the abolition of slavery; but if not there, elsewhere, servants, obey your masters. The teachings of our Saviour were also, to render unto Cæsar the things that are Cæsar's, and to God the things that are God's, with submission to civil government, and the Christian obedience even of slaves to their masters. The whole spirit of the Evangelists is full of like toleration to an institution, which, in the end, the lessons of Christianity were to subvert, but the overthrow of which, by violence and force, is there everywhere condemned.

If, then, the Saviour of the world and His apostles were thus tolerant upon the subject of slavery, why cannot there be an equal toleration among His professed people in their administration of the Government in this country? Toleration, indeed, is the essential principle of our institutions. Toleration pervades every part of our social organization. We are tolerant of the Jew, who does not believe in the Saviour. We are tolerant of those Christians who do not respect our Sabbath. We are tolerant of a great and rising State in the centre of this

continent, which has now one hundred and twenty thousand people. We are tolerant there upon the subject of polygamy, expressly forbidden in the New Testament, if tolerated in the Old ; and these people from this great Territory are admitted to a seat upon the floor of this House, and take part in our deliberations and debates, while we are in a frightful civil war now seemingly only to abolish negro slavery !

And now are we to be told, at this day and hour, that we cannot be tolerant upon this subject of slavery, when not only the Saviour and the apostles tolerated it, but when the patriarchs Abraham, Isaac and Jacob, were holders of bondmen and bond-women ? Let me not be misunderstood ; I do not mean to be understood as saying that the New Testament upholds slavery, and I do not mean to say there are no teachings in the sermons of our Saviour and the apostles, which in the end would abolish slavery over the whole earth ; but I do mean to say that not only the Saviour and the apostles, but that the fathers of the Church were tolerant with slavery, and that for more than a thousand years, the fathers of the Church exercised a religious and political influence through the emperors of Rome in upholding the institution of slavery from abolition, by force or violence, while they left it to be abolished by the peaceful and graceful influence of Christianity. And yet here in six months, by constitutional proclamation, or, in five or six years by civil war, we propose to abolish it in blood and by violence, through an empire almost as vast as the empire of Rome. Slavery was not abolished in England until 1102, by the council of London, and in Ireland, until 1172, by the council of Armagh. As a matter of admonition, if not for history, let me here state that when, in 451, or 456, in the council of St. Patrick, held in Ireland, there was a proposition from some of the clergy to induce slaves to run away, the thirty-second canon of that council was expressly issued, ordaining, that to steal slaves, by inducing them to run away, was to expose the clergy to be considered as thieves and robbers. The Church, then, while sapping the foundations of slavery, expressly forbade all violence—all wrong.

#### BUT THE REPUBLIC MUST BE HOMOGENEOUS.

But homogeneity, we are told, must exist through the hitherto thirty-four States of this Union. The Union cannot exist un-

less we are a homogeneous people. No matter whether slavery be right or wrong, Christian or unchristian, it must be abolished, we are told, this day and this hour, in order to make us a homogeneous, a united, a one and indivisible people. Sir, homogeneity can never exist in a great nation, among a great people. Look at the great nations now covering large extents of the globe. There is the Russian empire—what an empire! what different institutions, what various tribes! How unlike—unlike, in manners, unlike in character, frequently unlike in origin. And there is the great empire of Austria, which, stretching from Italy to Hungary, contains races of all varieties of character. Twelve different languages are spoken in that empire, and its institutions are as diverse as can well be imagined; its people are unlike, various and different—more different than any people that exist in this country. And there is Switzerland, too, the only republic existing in Europe, except that little one perched on the Apennines—an old republic of twenty-five cantons, in which are spoken three different languages—the Italian, the German, and the French—the debates, at times, in their general congress going on in all these three tongues. The habits, the customs, the costumes, too, of the Swiss are more or less diverse. The canton of Zug varies more from the canton of Neufchatel than Massachusetts from South Carolina. The religion is Catholic and Protestant, and Protestant of various creeds and characters, and yet in that republic no effort whatsoever has been made by that republican people to have homogeneous institutions or one people alike in all respects as to their character.

#### NO HOMOGENEITY IN THE BRITISH EMPIRE.

Then there is Great Britain, that vast empire which stretches from the arctic regions of the north to the Ganges and the Himalaya mountains, and which rules even in India over a hundred millions of people—an empire, in short, embracing one-seventh part of the globe, and governing one-seventh of all mankind—what empire is more tolerant than that in its diverse and varied institutions? There is Catholic Canada, with French institutions yet existing there, and with no right of trial by jury among many portions of the people of Canada. In India there are diverse and innumerable religions and peo-

ples; the Hindoos, the Mahomedans, the Buddhists, &c.: I should but consume time were I even to enumerate them. No nation has been more tolerant of religion, of prejudices, of politics, and passions, than the British people have been. This vast empire of Britain has only been maintained by the tolerant spirit of the British Parliament and the British Government, extending throughout the whole earth, in all the varied domains of that vast empire. No effort has ever been made in England by any edict of the British Parliament at any time, or on any occasion, to have a homogeneous people. There is no centralization, no consolidation there. Even when the Sepoy went to war, civil war, against the empire of Great Britain, because he was compelled to bite greased cartridges contrary to his religion, the empire and authorities of Great Britain respected the miserable prejudices of that Sepoy, and abolished the order to use cartridges supposed to be greased with the fat of the cow and hog. Even in the little islands of Great Britain and Ireland there is no homogeneity there. There is the Celt who speaks one tongue across the Irish Channel; there is the Welshman who looks over across that Channel, and speaks another tongue; then, there are Englishmen with their various dialects in Lancashire and Yorkshire, and in other counties; and there are the Gaels in Scotland who speak a language utterly incomprehensible to the great mass of the English people. Any man who has traveled over that country, as I did twenty-five years ago, with a pack upon my back, throughout the whole of Lancashire and Yorkshire, can bear testimony to this fact, that in a day's or half a day's travel among the people in that part of the country, you pass among men whose institutions not only differ far more than the institutions of the North, and the South, but you go among a people speaking a language not only incomprehensible to you, but to those who are upon their borders. So, any traveler who passes beyond the Lowlands, perhaps with some Lady of the Lake for his guide book, into the Highlands of Scotland, will soon find that as he goes north from Stirling castle he goes among a foreign people, with foreign institutions, speaking tongues far different from those of the great majority of the English people. The wise people of England, that wise Government of England, have never attempted to force homogeneity of institutions;

never, throughout that vast empire, while even in their own little islands they have respected the rights, the privileges, the prerogatives of the Welsh, the Celts, the Gaels, and those other varieties of men; and it is only by this spirit of toleration, this noble spirit of toleration, this worthy conciliatory spirit of the nation, that the British empire has been able to stretch its power beyond its own little domain all over the earth, encircling the globe, as has been well said, by its martial airs that greet the rising of the morning sun.

#### THE ROMAN EMPIRE NOT HOMOGENEOUS.

Homogeneity never existed throughout the vast Roman empire. It was not attempted by the dictators of Rome; and it never was attempted subsequently by the emperors of Rome. But autonomy, or self-independence, was the principle on which the great Roman Empire was reared and maintained, and not only so, but it was the only principle on which that Government was enabled to sustain itself in its vast aggregation of territory. When Julius Cæsar conquered the Gauls, he did not take away from the barbarian people of Gaul, their institutions, their self-government, the government of their chieftains. He left all that to them. And when Pompey invaded the Asiatic cities and subjected them to the Roman empire, he left to those Asiatic cities the government and control of their own local institutions, their self-government, and in that manner, attached them to the empire. To the Ionians were reserved their archons and prytanes; to the Dorians, their ephori and cosmi; aye, to all the Grecian cities and States, more or less, their local institutions, their magistrates, their self-government, their peculiar institutions. Coining was allowed to some; fiscal regulations to others. Confederations were allowed to exist in Greece long after the domination of the Roman empire. There was not only the well known Amphictionic, but the Panionian, the Boeotian, the Achean. Autonomy, as far as possible, homogeneity seldom, if ever, was the Roman rule. The self-government of the subject States was as much as possible preserved. Their local institutions were maintained and invigorated. And it was by the preservation of their self-government, and of those local institutions, that the vast empire of Rome was maintained for

so many years, and was perpetuated from age to age, often even under the worst of emperors.

I am calling the attention of the House, Mr. Chairman, to these historical facts, because they are so well applicable to our times, and to our day, History but repeats itself. There is but little new in the history of man. Man but repeats over what preceding man has done. The great Augustus Cæsar, whose empire stretched in the west from the pillars of Hercules to the Tigris and Euphrates in the east, from the hundred-gated Thebes in the south to the Ultima Thule of Britain in the North, embracing an empire so vast that Ovid wrote of it, when Jupiter looked out from the portals of heaven, he saw nothing but what was Roman,—

*Jupiter arce sua totum cum spectat in orbem*

*Nil nisi Romanum quod tueatur babet,*

That great founder of the Roman empire over millions of human beings, that wise and wonderful man, never attempted any homogeneity of institutions. But throughout all that vast territory, as far as possible, there was left to the people of the empire their autonomy or self-government, their local institutions. The Parthian, the Indian, the Scythian, the Sarmatian, the Briton, the Egyptian, each and all had reserved to them their local institutions, their local religions, their local governments. The gods of Egypt and the gods of Gaul, the gods of Athens and the gods of Asia, were worshipped, if not in the capitol of Rome, at least in its close vicinity. And Augustus Cæsar himself caused sacrifices to be offered in the holy temple of the living God, at Jerusalem. All religions, all policies, more or less, were tolerated, only in subordination to the great head of the Empire at Rome. It was the foundation of that empire in the spirit of toleration that kept it together for hundreds and hundreds of years, and which made the name of Cæsar illustrious, not only throughout the whole land, but sent down that name immortal for all posterity as the name for czars and kaisers in the royal houses of kings and emperors. Nor did the Empire crumble and fall, until the Cæsars' policy was forgotten, and homogeneity was forced upon the different Peoples.

#### CENTRALIZATION, CONSOLIDATION, IS DESPOTISM.

I repeat then, that if we pay attention to the teachings, to these examples of history, we must see that homogeneity is not

a possible condition for a great people. Centralization, consolidation, are the English words which we substitute for the term homogeneity. Centralization, consolidation is nothing but unlimited despotism. There is no freedom for the people, no self-government, no municipal government, no household government, no family government under such a system. There is no government worthy of a free people; there is no government which can maintain the rights and prerogatives of the people but one which shall be founded on some other principle than that of consolidation and centralization. It was not possible for Rome; it was not possible for Athens; it will not be possible for the Government at Washington, with all the telescopes that men may mount upon the lofty dome of the Capitol, to look over our vast territory from the Passamaquoddy to the Rio Grande and Oregon, and to regulate the local rights and privileges of the millions and millions of people that not only exist now, but are hereafter to exist there. Even the Puritans taught us a better lesson than consolidation and centralization, though their sons have forgotten that lesson. Liberty was cradled in their municipal institutions; liberty is cradled in the family, in the county, the town, the city, and the State, and not in Federal Central Government. The Federal Government is to maintain liberty, but it is not its birth-place, its cradle, its nursing mother. For the cradle of human liberty, I repeat, is in the household, in the family, in the home, in the city, the county, and the State; and wherever other institutions, the product of centralization or consolidation, exist, as in France or Russia, there must exist despotism.

#### TWO FATAL ERRORS—A SHORT CIVIL WAR AND SUBJUGATION.

Now I have dwelt thus long on this subject in order to approach another topic, and that is to say that if this homogeneity, this centralization, is persisted in, this war must go on until the subjugation of the South follows. In my judgment no two more fatal errors exist, or have existed, or can exist, than that this is to be a short civil war, or, that our hitherto southern countrymen can ever be subjugated to an empire of centralization and consolidation. Civil wars are never short when a people are in earnest, as the people of the North and the people of

the South are now ; we, in earnest for anti-slavery and consolidation ; they, in earnest, as they say, for the maintenance of self-government. No war like that can be ended in ninety days, or in a summer's campaign, but it is to be a war of years and years. Whatever we may say of the South, the earnestness of that people, their indomitable and fiery character, show that in a war to subjugate them extermination must follow.

All civil wars of like character, and waged with like spirit, have lasted for years. The Peloponnesian war lasted twenty-seven years, and ended in the ruin of Greece. The civil wars of Rome lasted for years and years. The wars of the houses of York and Lancaster lasted thirty years. The war of the German Confederates lasted thirty years ; and for half a century and over, raged the civil war in Holland and the Netherlands, when an effort was made by the King of Spain, under the Duke of Alva, to subjugate the people of Holland and the Netherlands to the Inquisition and taxation of Spain. All history shows that our civil war is to be long, aye, endless, if it is to be conducted in the spirit in which it is conducted now. It is not to be a war, then, of ninety days, nor of four years nor of this Administration alone ; but it is to be a war to be passed on, from Administration to Administration, throughout all time, until the spirit of toleration is once more revived in this country, and we learn to revere the lessons our fathers left to us.

The subjugation of eight millions of people ! It is an utter impossibility ; it cannot be done. The outward man may be subjugated. He may be made to bend, to cringe, to bow, aye, even to take mock oaths of allegiance. With bayonets surrounding him, you may for a time take from him all outward manliness. But the spirit within him, with which God has inspired him, can never be subjugated by mortal man. The soul is indomitable, although you may force the outward profession of obedience. This subjugation can not be even apparently perfected but by the constant outward exhibit of bayonets. And whenever that exhibit is withdrawn, insurrection and armed rebellion will follow. This nation may be made a nation of soldiers, but if it be made a nation of soldiers altogether, I repeat again, that men of our kith and kin, men of our blood and our soul, men educated in our institutions, and inspired by the education which has been given to us by our ancestors,

such men, whether right or wrong, can never be subjugated. God never made the race we are born of, to be subjects or slaves.

All Europe—France, England, Russia, all combined—can never subdue my own native State of Maine. You may drive the people from their coast, but they will rush to the mountains; you may desolate their hills and their valleys, but the spirit of the brave people of that gallant State can never, never be subjugated by the whole earth combined. Eight millions of like men, for like we are, with the same blood coursing in our veins, and spread over territory reaching from the Potomac to the Rio Grande, never, never can be subjugated by men of the same kith and kin. Not only human courage, but climate, soil, and a territory fortified by swamp and forest and malaria all forbid. Every wood in Virginia is a fortress. Every swamp in Carolina and Georgia is a line of circumvallation. The vastness of the territory to be subjugated is its great defense. Marion and Sumpter in the swamps of South Carolina kept at bay for months the finest infantry of England, under Lord Rawdon, and the best cavalry in the world under Colonel Tarleton.

I know that these truths are unpalatable; but it is quite time that they should be preached to our countrymen even if they do not like them. Strike but hear. They are not new. They have all been preached in the English tongue before, and in another great civil war. I speak but the words which our English ancestors upon their side of the ocean spoke in the days of the revolution, when they said that three millions of Englishmen in the American colonies of Great Britain could never, never be subjugated by the armed empire of England. Subjugation they pronounced to be utterly impossible, in 1774-75, as I pronounce it now, in 1864.

#### BUT WHAT ARE WE TO DO?

But I am asked, “What are we to do? Are we to submit to rebels and the rebellion? Are we to lie down and let the rebels of the South ride over us? Are we to give up this great contest, and to surrender our holy Union, and our sacred institution?” I say, never; no, never! Never, I repeat—never, are we to surrender the institutions that our fathers bequeathed us, or the unity that they bestowed upon us. But we are to

resort to their lessons and their instructions for the salvation, the redemption, and the reintegration of this Union. What the people of the North desire is reunion and peace. What the people of the South desire is peace, not with dishonor, but peace with honor. We both desire peace; and why not, then, try to agree upon terms? Negotiation is the preliminary step to reconciliation. This is the lesson that our fathers have bequeathed to us. Convention, consultation—these are the great pervading principles of our Government, and the only principles upon which that Government can be maintained and handed down to our children, unless we intend to be eternally in arms.

THE CIVIL WAR OF THE REVOLUTION—THE COUNSELS OF CHATHAM,  
BURKE, FOX, AND OTHERS.

Tell me not that I am premature in these remarks. They are the words of Burke, and Fox, and Chatham, and Camden, and other illustrious Englishmen in the beginning of the Revolution, in 1772, in 1774, in 1776, and until the treaty of peace in 1783. Let me call the attention of this House and of the country to some of the motions made in the British Parliament prior to the outbreak of our Revolution in 1776, and pending that Revolution.

In 1774, April 15, Lord North introduced into the House of Commons a bill to provide for the trial of Boston people who might be charged with violating the laws of England, not in Massachusetts, not in Boston, but providing for taking them to England and elsewhere to be tried. Loud was the remonstrance from Boston, and from Massachusetts generally, and from all parts of this then colonial country. But Lord North was sustained; the bill was carried in the House of Commons by a vote of 127 to 44, and in the House of Lords by a vote of 49 to 12.

In 1774, April 19, there was introduced a motion to repeal the tea duty, and Edmund Burke seconded that resolution. But Burke and those who agreed with him did not succeed. The people of England were no more willing to reason then, than the people of the North or South are willing to reason now. The proposition was voted down—ayes 49, noes 182.

In 1774, November 30, in the new Parliament, the king sent in a speech adverse to the colonies—utterly adverse to their

right to control their local institutions, their right of local self-government. There was great debate upon that; but the address was carried in the House of Commons by a vote of 264 to 73, and in the House of Lords by a vote of 63 to 13.

In 1775, January 20, in the beginning of the outbreak of our Revolution, Lord Chatham made his great effort in the House of Lords to have the British troops withdrawn from the city of Boston—to stop fighting, for fighting had begun in the city of Boston, and to try consultation and conciliation with the good people of Massachusetts, in order to avoid the effusion of human blood. But Lord Chatham if heard was not heeded. The proposition was voted down (as a like proposition has been voted down in this House) by a vote of 68 to 18. On that occasion Lord Chatham said :

“Resistance to your act was as necessary as it was just, and your declaration of the omnipotence of Parliament, and your imperious doctrine of the necessity of submission, will be found equally incompetent to convince or enslave your fellow-subjects in America, who feel that tyranny, whether ambitioned by an individual part of the Legislature or the bodies who compose it, is equally intolerable to British subjects.

“I trust it is obvious to your lordships that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be fatal. We shall be forced ultimately to retract. Let us retract while we can, not when we must.”

The proposition of Lord Chatham was supported by Lords Shelburne, Camden, Rockingham and Richmond, but was supported in vain. The British ministry was deaf to the eloquence of Chatham, and deaf to the reasoning of the surrounding nobility.

Lord Chatham then took another step. He proposed, if the colonies would recognize the supreme government of England, to invite from the colonies a free gift or revenue, but this was rejected by a vote of 61 to 32.

In 1775, January 29, there appeared before the British Parliament, claiming a hearing, the illustrious Franklin, the well known Butler, and the distinguished Lee. They asked to be heard at the bar of the House of Commons in behalf of the colonies of the United States, but they were not heard. They were refused a hearing because the British Parliament would not recognize the legal existence of any Congress of the United States.

In 1775, February 2, Lord North moved his address to the

King against the colonies; Fox moved to amend that by censuring the ministry, but he failed by a vote of 304 to 105. The address was carried by a vote in the House of Commons of 296 to 106, and in the House of Lords, of 87 to 27.

In 1775, March 22, Burke proposed concession, conciliation, and addressed the House on the subject. He was heard undoubtedly with far less patience than I am heard here to-day. His motion was rejected—270 to 78. Lord North then exclaimed—and the like of which we often hear on the floor of this House—that Burke was but helping the rebellion.

In 1776, Congress petitioned the king to be heard, and the petition was rejected, as from an illegal body.

The Duke of Grafton then left the party in power, and joined the opposition. The address to the king, however, was carried by a vote in the House of Commons, of 176 to 72, and in the House of Lords, of 75 to 32.

Burke then proposed conciliation again, and asked for the calling of a congress by royal authority to settle the difficulties. His proposition was lost by a large majority. It is a proposition it seems to me, at this time, in the omnipotence of our power, and the abundance of our victories, which ought to come—I will not say from this, but from the other side of the House—that there may be consultation with the people of the South, to see whether this horrible effusion of human blood cannot be stopped. But the proposition of Burke was lost by a large majority, although it was supported by Barre, Fox, and others; and Lord North was said, at heart, to favor Burke.

Lord North, however, soon after, as an organ of the king and ministry, introduced a bill prohibiting intercourse with the colonies. Martial law was proposed, and the proposition was carried by a vote of 112 to 16 in the House of Commons, and 78 to 19 in the House of Lords. And it was about that time that the British ministry resolved not to trust to the people of England, of Scotland, and of Ireland for the restoration of harmony and peace, but to rely upon the Hessians. The Landgrave of Hesse-Cassel furnished 12,104; the Duke of Brunswick 4,084; the Prince of Hesse, 668; and the Prince of Waldeck, 670—17,526 Hessians in all. This proposition to employ these Hessians was carried in the House of Commons by a vote of 242 to 88. There exists at this time in Hesse-Cassel a beautiful pal-

lace, with beautiful grounds, called Wilhemshoe, which surpasses in my judgment, Versailles even, built by the purchase-money of these Hessians—money thus obtained from the British treasury, but no Englishman looks at it, beautiful as it is, without the blush of shame, that the money of England was used to employ Hessians to subjugate the colonies.

In 1778, after Burgoyne's defeat, the people of England, for the first time, began to have some sense of the magnitude of the war they were undertaking,—

Mr. BROOMALL.—Let me ask the gentleman, whether those movements to which he is referring, did not lead to the success of the rebellion in the colonies.

Mr. BROOKS.—I will say to the gentleman, that Lord North, the Earl of Temple, and the Tories of England generally, used the very words that we have heard so often on the other side of the House—"You are helping the rebellion." But if these men had been heard and heeded in the beginning of the American Revolution, there would have been no war. If the wisdom of Chatham had been confided in, the colonies would not have rebelled, and there would have been no separation from Great Britain. It was because the people of England and the ministry would not listen to the admonitions of these wise statesmen that the empire was broken up; and we became independent States instead of loyal colonies.

After the defeat of Burgoyne, there once more arose a great debate in the British Parliament, in which Fox and Germaine participated. The words of Fox were admonitory, and so well worth remembering, that I will read them. Fox was comparing Germaine to Dr. Sangrado:—

"Bleeding, he said, has been his only prescription. For two years that he has presided over the American affairs, the most violent, scalping, tomahawking measures have been taken. If a people deprived of their ancient rights, have grown tumultuous, bleed them. If they are attacked with a spirit of insurrection, bleed them. If their fever should have run into rebellion, bleed them, cries the State physician. More blood! More blood! Still more blood!"

This was the remedy of Lord Germaine. I will not say it is the only remedy of any member upon the floor of this House of Congress.

#### THE PERIL OF FOREIGN INTERVENTION.

In 1778, Lord North, now awakened to the perils of the em-

pire proposed a consultation, but it was then too late. He proposed to repeal every anti-colonial act of Great Britain from 1763 to 1778, and he proposed to treat the Congress of the colonies as a body to be consulted. But it was too late. And here, I beg, gentlemen upon the other side, to recall history, to be admonished by it, for history in this day is but a repetition of the past. Holland, and France and Spain were awakening, and Franklin, and Laurens, and Lee, and others, were in consultation with these rivals of the English monarch, and those monarchies were prepared to interfere in the contest between England and these colonies. Our Congress, aware of its strength, for the first time, refused to listen to Lord North. So the storm may be gathering now. Yes, the storm is gathering beyond the Rio Grande—a foreboding storm—and the empire of France, established there through Maximilian, will soon be stretching its vast arms over the Rio Grande, and interfering with these States of America.

But before anybody has interfered—before England, or any Holland, or Spain, or France has interfered, I beseech my countrymen, in view of these lessons of history, in the spirit of forbearance and conciliation, to endeavor to end this war, now—when we are strong, and when no foreign arm is actually up-raised, the more to rend asunder the Union.

Commissioners were sent to Philadelphia, but sent in vain. The emissaries of France were in Philadelphia, not to heal the breach, but to widen it, and in 1788, England was obliged to grant to these colonies their independence. I advise no such grant; I desire the acceptance of no such proposition. I am indisposed ever to receive such a proffer of peace as that; but at this day, and at this hour, holding up the lessons of history, I beseech this honorable House to study these lessons of history before it is too late, and secure a peace when it can be done by mingled kindness and conciliation, as well as by force of arms.

#### A COLLOQUY WITH THE REPUBLICANS.

Mr. WILSON. I desire to ask the gentleman a question: Suppose the Government of the Confederate States should adopt the plan he suggests for restoring peace to the country, and that plan should fail, is the gentleman ready then to wage war against this rebellion until it shall have been crushed and

the authority of the Government maintained; or, would he then acknowledge the independence of the rebel States?

Mr. BROOKS. Never will I consent to acknowledge their independence. We are one people, one country, and have one destiny; it is written by the finger of Omnipotence,—

Mr. WILSOX. With all respect to the gentleman from New York, I desire an answer. I wish to know whether, if these means should fail, the gentleman would then be willing to wage this war for the suppression of the rebellion? If not what means would the gentleman have the Government adopt?

Mr. BROOKS. I am coming to that. I was about to say when the gentleman interrupted me, that God made this for one country. Omnipotence seems to have written out for it one destiny and one law. It is written out in the rock-ribbed Alleghanies, which extend from the Hudson almost to the Mississippi; it is written out on the great father of the waters, with its hundred thousand miles of navigation. We are made for one people, and what God has put together no man can put asunder.

But war, war is not the remedy; it is not the Christian, it is not the civilized remedy, for this disaster and trouble in which we are involved at the present hour. Our first duty is to try conciliation and kindness; our first duty is to imitate the proposition of Burke in the British Parliament—negociation. If we offer negotiation, and the South refuse to hear negotiation upon just and equitable terms, the South will be divided and we shall be united. The war will then be there, a war at the ballot box, and in the Southern country; and not as now, a war of blood and devastation. Our remedy is not the sword, it is not the cartridge-box, until all other remedies whatsoever have been exhausted.

Then, as Christians, if we are Christians, or profess Christianity, our first duty to God, our first duty to our institutions, is to assemble in convention and to try reconciliation.

[Here the hammer fell, Mr. Brooks' allotted hour having expired.]

Mr. BROOKS. I should like to have a little more time to conclude my remarks.

Mr. GARFIELD, of Ohio, (Rep.) I move that the gentleman have leave to go on.

THE CHAIRMAN. Leave can be granted by unanimous consent.

No objection was made.

MR. BROOKS.—Whenever the day and hour come when Christianity fails to restore peace, when the example of our fathers, who, in like cases, assembled in convention, fails to restore peace, I shall be ready to mark out the course that I will pursue, and I tell the honorable gentleman again, that I never, never will consent to a severance of this Union. I wish to be understood, not only here, but everywhere. I wish my voice, if possible, to be heard South as well as North. Every human effort that can be made by the arts of peace should be made, and if the Union cannot be restored exactly as it was, in the same words and in the same letters, I am prepared for some other bargain which will again be satisfactory to all sections of this Union.

MR. WILSON.—I desire to ask whether, in any event, under any circumstances, the gentleman is in favor of maintaining the Union by war against the rebellion?

MR. BROOKS.—I repeat that under no circumstances will I ever consent to ask for a passport to go to Mount Vernon or Monticello, or to the tomb of Marshall, or to demand one to go to Concord and Lexington and Bunker Hill. Under no circumstances, if I descend or ascend the Mississippi, will I ever consent to have my baggage examined by the officers of a foreign country upon the banks of that river.

MR. WILSON.—I submit that the gentleman has not answered my question directly. I ask again whether the gentleman is willing, under any circumstances, to secure to himself the enjoyment of the privilege he has mentioned through force of arms against the rebellion?

MR. BROOKS.—If it be necessary; if the South has no reason; if it will hear nothing of peace; if it will obstruct the Mississippi and the Chesapeake, and is determined to take from us the rights which we have had from our ancestors, then a new case will arise; but until that case arises in the rebellion, I do not propose to mark out the course which I will pursue hereafter.

MR. WILSON.—I now ask if in any event, in the new case, he would then be willing to wage war against those now in rebellion against the authority of the Government?

MR. BROOKS.—I do not believe that after any of these efforts for peace there would be any such new case. But, on the contrary, if the war should be persisted in, I am ready and willing to maintain those rights as they have been handed down to us by our ancestors. I know the astuteness of the gentleman from Iowa, and I see the coterie of *clingers* by which he is surrounded in this effort to catechise me.

MR. BOUTWELL.—I call the gentleman to order.

MR. BROOKS.—I am afraid the gentleman does not give a right interpretation to my words. I mean nothing objectionable to the gentleman. I do not wish to say anything that may be offensive. I think I have expressed myself clearly. What I object to is laying down what I would do in a certain contingency; because what may happen hereafter I cannot say. I cannot lay down a programme for the future; but as explicitly as a man can say it, I have said, and repeat, that under no circumstances will I ever consent to a severance of the Union of these States.

MR. WILSON.—But the gentleman did state a case which may occur in the future, and I ask him again, in the event of that case occurring, is he willing to meet it by force of arms?

MR. BROOKS.—Whenever the South refuses all proffers of peace whatsoever, I am ready, upon the reserved rights of this nation, to maintain its legitimate constitutional authority by force of arms. [Several members, — “Now you’ve got it.”] There may be various ways of settling the difficulties with the South; even the slave question may be got over. The honorable gentleman from Wisconsin may be gratified by refusing the South the right of representation for its slaves on the three-fifths principle. I think the South would willingly consent to that, and have every negro there count one as at the North. I think that the subject of the fugitive slave law, which is so offensive to the great mass of the northern people, may be arranged, I see no essential difficulty in that.

The great object in the formation of the Union was commerce and trade. Commerce and trade formed this Union, not patriotism altogether. It was because of the difficulty of having an equal system of duties between Rhode Island, and New York, and Connecticut, and between Annapolis, in Maryland, and the eastern coast of Virginia, so as to have one commerce, that this Constitution was made.

We might have a Zollverein, as they have in Germany, for the collection of our duties. All these difficulties that exist now between ourselves and our Southern countrymen might be adjusted in convention, by peaceable negotiation. But as I have shown before by the example of nations that have gone before us, in my judgnmnt, they can never be adjusted by arms. In the end, as the President of the United States said in his inaugural address, we must come to terms by negotiation.

MR. KASSON.—Will the gentleman from New York, with a view to get his opinion on the subject, permit me to ask him a question?

MR. BROOKS.—Certainly.

MR. KASSON.—It is this. The gentleman from New York has run a parallel, instead of a contrast, between this causeless and infamous rebellion, and that of our fathers against the English government, for a cause which they avowed with a list of their grievances. He now asserts it as a fact that, with a proper proffer of terms on our part, the Union can be restored. I ask him to give to the House the benefit of his information on that point. What evidence has he got that the South will come back into the Union on any terms consistent with the preservation of the Constitution and the Union? The evidence is what I desire.

MR. BROOKS.—What evidence could I have? If I should speak to any Southern man, or, if I should write to any Southern man, I should, in doing so, be violating the laws of the country. I am forbidden by law to write to any man in the South. I cannot commune with any body there. That is one of the difficulties of our position.

MR. KASSON.—The distinguished gentleman from New York has affirmed the fact that peace can be restored on that basis. I wish the evidence of the fact on which the whole argument rests.

MR. BROOKS.—Suppose we try. At an early period of the war a gentleman from the State of Georgia, well known in this House, a gentleman who is now vice-president of the so-called southern confederacy, made an effort to be heard in the interest of peace, and was refused an audience. Another effort was made from the Canadian frontier, but the President of the United States did not permit it to come to any conclu-

sion. Under the laws of our country, I repeat, it is impossible for an individual legitimately to obtain information from the southern country. Hence it is impossible for me to answer the question of the gentleman from Iowa. All that I can say is—try, try. If we succeed, immortality will rest upon our efforts, if we fail, we shall be right as against the South, and the responsibility will be on southern heads.

MR. KASSON.—Do I understand the gentleman from New York to say that any authorized commission to treat for peace on the basis of the Union has ever been refused to be received by this Government, either from Canada, Fortress Monroe, or elsewhere—any authorized commission to treat for peace on the basis of the Union?

MR. BROOKS.—Mr. Stephens, of Georgia, had a commission, which was understood to be for peace, and he was not received.

MR. KASSON.—It is denied by the head of the rebel government himself.

MR. BROOKS.—And is affirmed by Mr. Stephens in a speech which he has made in the South.

MR. KASSON.—I have not seen that speech. I differ with the gentleman from New York on the point of fact.

#### OPPOSITION AND PROPOSITION.

MR. BROOKS.—Mr. Chairman, I am well aware that at this period of the history of the country it is in vain to make such speeches as I am now making. I am not to be heard or heeded in the passion that now governs this country. I speak now, not for the present moment, but to sow the seeds of thought and of consideration for the people of this great country. I scatter facts, now, to be considered and dwelt upon hereafter, and I hope that they will lead to reflection throughout the country. I hope the Republican side of the House will cease to cherish that feeling against us on this side of the House in which they have hitherto indulged. We desire Union as much as they do; but we do not see, in their mode and manner of obtaining that Union, any good result possible, and we do not believe that it is possible. I address my remarks to the House, in accordance with my purpose, to try and produce some community of feeling, some community of action, which may, hereafter, be useful to our constituents. If I were acting the mere role of

an Opposition member, I should do nothing but throw obstacles in the way of the other side of the House; but I hold it to be the duty of a man in the Opposition to propose as well as to oppose; and hence the propositions which I have put out.

APPEAL TO NEW ENGLAND MEN.

No man on that side of the House, I call God to witness, desires the reunion of these States more ardently than I desire it. No man would make greater sacrifices than I would make to restore peace and harmony to this now bleeding country. But I speak in vain. I am in a minority on the floor of this House, and shall be, in a greater minority hereafter. I can only appeal to my countrymen, to their good feeling, to their reason and their sense. To them I appeal as to Americans having a great history, not now, I trust, to end. I appeal more especially to New England men, for independence, self-action, and individuality upon the floor. I appeal to that State in which I was born—the State of Massachusetts—which sometimes thinks and acts for herself, independent even of party chains. Let her step forth and act now on this great occasion, and immortalize herself, as she has heretofore.

There was a period in the history of Massachusetts when that State, great and powerful in her control over the Revolution of 1776, forgetting the rival claims of her own eminent sons, and even forgetful of Massachusetts herself, through the voice of John Adams, nominated a slaveholder, George Washington, of Virginia, to be Commander-in-Chief of the Armies of the United States. It is in that spirit that I invoke Massachusetts men to act now; I implore Massachusetts men to look back to these antecedents of their history and emulate the glory of that era. And I appeal to other New England men on the floor of this House; even to those who come from the far distant shores of the Pacific, I thus appeal, because this government is now a New England Government and in the main in the hands of New England men.

Throughout the long regions of the lakes, across the Rocky Mountains, the New England element governs and controls this country. I appeal, therefore, to the three New England men from the State of Iowa, and to the honorable gentleman now in the chair (Mr. Washburne), the leading member from the State of Illinois. I appeal to the honorable gentlemen from Penn-

sylvania (Mr. Stevens), the monitor and mentor of this House, who was born among the green mountains of Vermont, and who exercises so omnipotent an influence in controlling the deliberations of this body; to him I appeal for support of this effort to bring peace again to our people. Let us try to do honor to New England men and New England history, forgetful of all the provincialisms which have been fostered by this civil war, and if possible, accomplish the restoration of this Union.

AN APPEAL TO THE PRESIDENT.

Oh! that it was within my power to go within the portals of the White House, and to approach the Chief Magistrate there; I would do, what, alas! as an impenitent sinner, I dare not do to my Maker—on bended knees, implore him in his now almost boundless authority to exercise all the powers of Christianity, all the lessons, all the arts of peace for the restoration of this now divided and broken Union, and to stop the further effusion of human blood. In the name of that great patriot whom we once in common revered, whose voice has been so often heard in the deliberations of this Capitol, in the name of Henry Clay, in whose company, in the better days of the Republic, we both marched together, I would invoke him to remember the history of that great man.

Thrice by efforts of conciliation he averted the horrors of civil war. First upon the Missouri question in 1820, then in 1832, in the Senate, by his action upon the tariff, in eloquence which stirred the nation's heart, and which then had a controlling influence over both Houses of Congress, he again stopped the threatened effusion of human blood. And in the great compromise questions of 1850, by his eloquence, his power, his wisdom, his social influence, as well as by his inspiration in debate, by the respect which all portions of this country had for that great and illustrious man, civil war was again averted from this unhappy land.

Oh, that I could approach the White House, and repeat to the Chief Magistrate the lessons of our illustrious leader, and invoke him to follow his illustrious example, and to do himself the immortal honor, to be, not the last President of the United States, but the saviour and restorer of this divided, distracted, and bleeding Union.







LIBRARY OF CONGRESS



0 012 027 976 2

